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**IN THE  
UNITED STATES  
PATENT AND TRADEMARK OFFICE**

**IN RE APPLICATION OF:** Weiss, et al.  
**CASE:** OST-041076  
**SERIAL NO.:** 10/708,183 **COMMUNICATION**  
**FILED ON:** February 13, 2004  
**FOR:** OPTICAL SYSTEM

Mail Stop Issue Fee  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

**ATTENTION OF:**  
Art Unit 2872  
**EXAMINER:**  
Phan, James

Dear Commissioner:

Applicant draws the Examiner's attention to the following.

German patent application number 101 40 208.2, filed August 16, 2001 included 3 (three) pages of drawings. However, the international patent application, PCT/EP02/08695, filed August 5, 2002, was inadvertently filed, and subsequently published without page 3 of the drawings, and instead, included a duplicate of page 2 of the drawings in its place. Accordingly the drawing pages of the International application were filed as page 1, page 2 and page 2, instead of page 1, page 2, and page 3.

The present application has been filed with the correct drawing pages, namely, page 1, page 2, and page 3, in accordance with the German patent application and can be confirmed in review of the certified priority document (German patent application number 101 40 208.2).

Moreover, because the present application is a continuation of the PCT, which is a continuation

**FACTOR & LAKE, LTD.**  
1327 W. Washington Blvd.  
Suite 5 G/H  
Chicago, IL 60607  
(312) 226-1818  
(312) 226-1919 (fax)

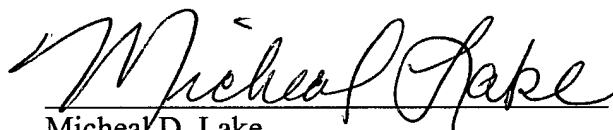
|                        |       |
|------------------------|-------|
| Jody L. Factor         | 34157 |
| Micheal D. Lake        | 33727 |
| Edward L. Bishop       | 39110 |
| William J. Lenz        | 44208 |
| Joseph M. Kinsella Jr. | 45743 |
| Jacob D. Koering       | 51890 |
| Nick Lee               | 54260 |

of the German patent application, the figures of the present application are fully supported by the German application. It is also noted that the Figs. on page 3 can be fully constructed from the specification of the present application.

Should anything further be required, a telephone call to the undersigned at (312) 226-1818 is respectfully invited.

If any charges or fees must be paid in connection with the following communication, they may be paid out of our Deposit Account No. 50-0545.

Respectfully submitted,



Micheal D. Lake  
One of Attorneys for Applicant

Dated: April 7, 2005

**CERTIFICATE OF FIRST CLASS MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 7, 2005.



Jenelle L. A. Melket